



City of San Antonio

Agenda Memorandum

Agenda Date: January 25, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE ZONING-Z-2023-10700323 CD

SUMMARY:

Current Zoning: "C-1 AHOD" Light Commercial Airport Hazard Overlay District

Requested Zoning: "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Liquor Store

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 19, 2023

Case Manager: Kellye Sanders, Planning Coordinator

Property Owner: Corvera Enterprises Inc.

Applicant: Corvera Enterprises Inc.

Representative: P. W. Christensen

Location: 3915 San Pedro Avenue

Legal Description: Lot 29, Block 13, NCB 7280

Total Acreage: 0.6657

Notices Mailed**Owners of Property within 200 feet:** 18**Registered Neighborhood Associations within 200 feet:** Edison, Kenwood, Monte Vista Terrace**Applicable Agencies:** Planning Department**Property Details**

Property History: The subject property was annexed into the City of San Antonio by Ordinance 1941, dated May 31, 1940, and zoned "H" Local Retail District. The property was rezoned by Ordinance 78405, dated July 29, 1993, to "B-2NA" Business, Non-Alcoholic Sales District and "B-3NA" Business, Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2NA" Business, Non-Alcoholic Sales District and "B-3NA" Business, Non-Alcoholic Sales District converted to "C-2NA" Commercial Nonalcoholic Sales District and "C-3NA" General Commercial Nonalcoholic Sales District respectively. The property was rezoned by Ordinance 2006-08-17-0939, dated August 17, 2006, to the current "C-1" Light Commercial District.

Code & Permitting Details:

There is no code enforcement or permitting history for the subject property.

Topography: The property does not include any abnormal physical features such as slope or incursion in a floodplain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** C-2**Current Land Uses:** Bank**Direction:** South**Current Base Zoning:** C-1, C-3**Current Land Uses:** Food Service Establishment, Sports Club, Single-Family Residence**Direction:** East**Current Base Zoning:** C-3**Current Land Uses:** Motor Vehicle Sales**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Church, Single-Family Residential**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Special District Information:

N/A

Transportation

Thoroughfare: San Pedro Avenue

Existing Character: Primary Arterial B

Proposed Changes: None known

Thoroughfare: Santa Monica Street

Existing Character: Local

Proposed Changes: None known

Thoroughfare: Carney Street

Existing Character: Local

Proposed Changes: None known

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 3, 4, 204

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for Retail is 1 per 300 sf GFA, and the maximum is 1 per 200 sf GFA..

ISSUE:

None

ALTERNATIVES:

Current Zoning: "C-1" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed Zoning: "C-1 CD" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The Conditional Use request is to permit Liquor Sales use.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center but is within ½ a mile from the San Pedro Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the North Central Neighborhoods Community Plan, adopted in 2002, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-1” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “C-1” Light Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-1 CD” Light Commercial District with a Conditional Use for a Liquor Store is also an appropriate zoning. The change of zoning will keep the base zoning district of light commercial but permit an additional use which is normally permitted in higher intense zoning districts. Staff finds the Liquor Store use generally consistent with the existing commercial uses, including hair salon, tobacco shop, restaurant, and motor vehicle sales, which are located within proximity along the San Pedro corridor. The “CD” Conditional Use would hold the development to a site plan, and any deviation could warrant additional Council consideration.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does/does not appear to conflict with any public policy objective. Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.

Relevant Goals and Objectives of the North Central Neighborhoods Community Plan may include:

- GOAL 1: Support and promote business and employment development along the commercial corridors that provide for a healthy business climate while supporting the needs of the North Central Neighborhoods Community by aesthetically and environmentally reinforcing their community cultural identity and providing an attractive destination for visitors and shoppers from around the city.
- Objective 1.1: Market San Pedro Avenue and Blanco Road from Hildebrand to Loop 410 as the place to live, work, shop and play with their central location and convenient access to all San Antonio.
- GOAL 3: Maintain and preserve the quality of the existing residential and commercial properties through the encouragement of rehabilitation and code compliance.
- Objective 3.1: Promote the maintenance of existing properties.
- GOAL 4: Ensure a transition between residential and commercial areas that is aesthetically pleasing while discouraging encroachment into residential areas.

6. Size of Tract: The 0.6657 acre site is of sufficient size to accommodate the proposed commercial development.

7. Other Factors: The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop a Liquor Store.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.